

# United States District Court

for the  
Middle District of Tennessee

**FILED**

JUN 30 2014 DB

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN.

NATIONWIDE MUTUAL INSURANCE  
COMPANY,

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Plaintiff-Counter Defendant,

V.

ON YOUR SIDE ADJUSTERS INC.  
and JEREMY SNYDER,

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Defendant and  
Defendant-Counter Plaintiff

Civil Action No. 3-14 0586

Judge Trauger

Magistrate Judge Brown

## DEFENDANTS RESPONSE TO PLAINTIFFS MOTION TO STRIKE DEFENDANTS INSUFFICIENT DEFENSES

Since the deadline is today for Defendant Snyder to respond to Plaintiffs recent Rule 12 (F) Motion and neither of the pending extension requests currently filed within the court (Docket Entry 77 or 78) have been ruled on, Defendant Jeremy Snyder is filing this partial response to Plaintiff Nationwide Mutual Insurance Company's motion to strike defendants insufficient defenses and such filing does not include any response to Plaintiffs motion to strike Snyder's affirmative defenses number 2, 4, or 5.

Defendant Snyder prays the court allows him the opportunity to respond to all of the above mentioned, but reminds the court such response cannot be made until the court rules on Defendant Snyder's Motion for a Standing Hearing (Docket

Entry 77) that currently sits undecided within the court. As part of this motion Defendant Snyder asks the court not to consider Plaintiffs motion to strike Snyder's affirmative defenses number 2, 4, or 5 until the court rules on (Docket Entry 77) and no matter the ruling, the court gives Defendant Snyder an opportunity to respond properly as determined by the courts ruling as requested in (Docket Entry 77).

#### DEFENDANT SNYDER'S RESPONSE

- 1) Snyder's first affirmative defense objection response: Snyder has amended his first affirmative defense and it now meets all of the requirements of such defense as can be seen in the separate 1st Amended Answer.
- 2) Snyder's second affirmative defense objection response: Snyder cannot respond to this affirmative response until the court rules on court (Docket Entry 77) as detailed within the first two paragraphs of this filing.
- 3) Snyder's third affirmative defense objection response: Snyder has amended his third affirmative defense and it now meets all of the requirements of such defense as can be seen in the separate 1st Amended Answer. (in addition Snyder objects to Plaintiffs conclusion that in (Answer at 6, 30) Defendant Snyder "implicitly admitted that, prior to April 4th, 2014 Defendant advertised, marketed, took new claims and generated new business using the ***On Your Side Mark***". Defendant Snyder admitted that he worked with On Your Side Adjusters, Inc. and that company name was being used before April 4th, 2014 but he never admitted or mentioned that he had

used the On Your Side Mark.

4) Snyder's fourth affirmative defense objection response: Snyder cannot respond to this affirmative response until the court rules on court (Docket Entry 77) as detailed within the first two paragraphs of this filing.

5) Snyder's fifth affirmative defense objection response: Snyder cannot respond to this affirmative response until the court rules on court (Docket Entry 77) as detailed within the first two paragraphs of this filing.

6) Snyder's unclean hands defense: Snyder has amended his unclean hands defense and it now meets all of the requirements of such defense as can be seen in the separate 1st Amended Answer.

Defendant Jeremy Snyder has filed contemporaneously with this motion his 1st Amended Answer that includes his changes to each defense. Defenses 1, 3, and 6 now meet the requirements as required to live through Plaintiffs motion to strike. Defenses 2, 4, and 5 were discussed in the first two paragraphs of this response and cannot be addressed until the court rules on (Docket Entry 77).

Respectfully submitted,

Dated this 30th day of June, 2014

A handwritten signature in black ink, appearing to be 'JS', written over a horizontal line.

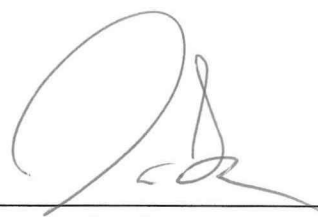
Jeremy Snyder  
615 Newton Lane  
Gallatin, TN 37066

Attention:  
Salvador M Hernandez  
Riley Warnock & Jacobson, PLC  
1906 West End Avenue  
Nashville, TN 37203

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing has been served upon Defendants via e-mail and U.S mail at:

Attention  
Salvador Hernandez  
Riley Warnock & Jacobson, PLC  
1906 West End Avenue  
Nashville, TN 37203

A handwritten signature in black ink, appearing to read 'Jeremy Snyder', is written over a horizontal line.

Jeremy Snyder  
615 Newton Lane  
Gallatin, TN 37066